

**IN UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**TYREKA SMITH, et. al.,**

**Plaintiffs**

**v.**

**DAVID’S LOFT CLINICAL PROGRAMS,  
INC., et. al.**

**Defendants.**

**Case No. 21-cv-03241 (BPG)**

---

**JOINT MOTION TO STAY PROCEEDINGS AND JOINT REQUEST TO REFER THIS  
CASE TO A MAGISTRATE JUDGE FOR SETTLEMENT PURPOSES ONLY**

Plaintiffs Tyreka Smith, Dytania Cannady, Sheron Thomas, and Dinel Prentice, (collectively, “Plaintiffs”) and Defendants David’s Loft Clinical Programs, Inc. and David H. Thompson, Jr. (together, “Parties”) request that the Court stay all proceedings and refer this case for a settlement conference with a Magistrate Judge. In support thereof, the Parties state, as follows:

1. Plaintiffs filed their Complaint in the U.S. District Court for the District of Maryland on December 21, 2021. In their Complaint, Plaintiffs allege that Defendants failed to pay them (and an alleged class of employees) overtime in violation of the Fair Labor Standards Act (FLSA), the Maryland Wage and Hour Law, and the Maryland Wage Payment and Collection Law. In particular, Plaintiffs allege that they were misclassified as exempt employees.
2. Defendants were served on March 15, 2022.
3. The Parties request that the Court stay this proceeding, and refer this matter to a Magistrate Judge for settlement purposes.

4. The Parties prefer to preserve their financial resources and to concentrate on attempting to resolve this matter through a settlement conference with a Magistrate Judge. While awaiting appointment of a Magistrate Judge, the Parties will continue in good faith to try to resolve this matter.

5. Within 15 days following the settlement conference, the Parties will submit a Joint Status Report informing the Court whether the Parties have settled this matter. If the matter is resolved, the Parties will advise the Court of the amount of time they will need to finalize the settlement terms and to draft and file a Motion to Approve the Settlement under the FLSA. If settlement is unsuccessful, the Joint Status Report will include a proposed Scheduling Order. Additionally, Defendants will file their Answer on the same day.

WHEREFORE, and for good cause shown, the Parties respectfully request that the Court grant this Joint Motion in accordance with the attached proposed Order.

March 24, 2022

/s/Steven E. Kaplan

---

Steven E. Kaplan (Fed. Bar No. 16531)  
LITTLER MENDELSON, P.C.  
815 Connecticut Avenue, N.W., Suite 400  
Washington, DC 20006  
202-789-3401 Telephone  
skaplan@littler.com

*Counsel for Defendants*

/s/ James Rubin

James Edward Rubin  
THE RUBIN EMPLOYMENT LAW FIRM  
600 Jefferson Plaza, Suite 204  
Rockville, Maryland 20852  
T: (301) 760-7914  
[jrubin@rubinemploymentlaw.com](mailto:jrubin@rubinemploymentlaw.com)

*Local Counsel for Plaintiffs*

/s/ Ed Celiesius

Edmund Celiesius (to seek pro hac vice  
admission)  
BROWN LLC  
111 Town Square Place, Ste 400  
Jersey City, NJ 07310  
877-561-0000 Telephone  
[ed.celiesius@jtblawgroup.com](mailto:ed.celiesius@jtblawgroup.com)

Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served this 24th day of March 2022, with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James E. Rubin  
The Rubin Employment Law Firm, P.C.  
600 Jefferson Plaza, Suite 204  
Rockville, Maryland 20852  
jrubin@rubinemploymentlaw.com

Ed Celiesius  
Nicholas Conlon  
Brown LLC  
111 Town Square Place Ste. 400  
Jersey City, NJ 07310  
jtb@jtblawgroup.com

Counsel for Plaintiffs

/s/ Steven Kaplan  
Steven E. Kaplan